



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, JUNE 27, 2013**

Invocation: Deacon Joe Mendez, St. Albert the Great Catholic Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 27, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:08 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of June 18, 2013 and regular meeting of June 20, 2013.
The minutes from the City Council work session of June 18, 2013 and regular meeting of June 20, 2013 were approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
2. Authorize negotiation and execution of an agreement with 51st LIVING LTD, to provide a performance-based incentive for the generation of solar energy at its facilities at 101 West 51st Street, Austin, TX 78751, for an estimated \$26,769 per year, for a total amount not to exceed \$267,690 over a 10-year period.
The motion authorizing the negotiation and execution of an agreement with 51st Living Ltd. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
3. Authorize negotiation and execution of an agreement with AMLI RESIDENTIAL, to provide a performance-based incentive for the generation of solar energy at its facility located at 300 N. Lamar Blvd., Austin, TX 78703, for an estimated \$9,599 per year, for a total amount not to exceed \$95,990 over a 10-year period.
The motion authorizing the negotiation and execution of an agreement with AMLI Residential was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
4. Authorize negotiation and execution of an agreement with the BARR MANSION, to provide a performance-based incentive for the generation of solar energy at 10463 Sprinkle Road, Austin, TX 78755, for an estimated \$11,665 per year, for a total amount not to exceed \$116,650 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with the Barr Mansion was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

5. Authorize negotiation and execution of an agreement with GCE VENTURES, to provide a performance-based incentive for the generation of solar energy at its facility located at 3315 Ranch Road 620 S, Austin, TX 78738, for an estimated \$14,216 per year, for a total amount not to exceed \$142,160 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with GCE Ventures was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

6. Authorize negotiation and execution of an agreement with GENERAL MOTORS, to provide a performance-based incentive for the generation of solar energy at its facility located at 7401 E. Ben White Blvd., Bldg. 3, Austin, TX 78741, for an estimated \$41,657 per year, for a total amount not to exceed \$416,570 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with General Motors was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

7. Authorize negotiation and execution of an agreement with GENERAL MOTORS, to provide a performance-based incentive for the generation of solar energy at its facility located at 717 E. Parmer Lane, Austin, TX 78753, for an estimated \$41,694 per year, for a total amount not to exceed \$416,940 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with General Motors was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

8. Authorize negotiation and execution of an agreement with McCORMICK VISION, to provide a performance-based incentive for the generation of solar energy at its facility located at 12701 Research Blvd. #101, Austin, TX 78759, for an estimated \$8,876 per year, for a total amount not to exceed \$88,760 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with McCormick Vision was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

9. Authorize negotiation and execution of an agreement with PEARSON, to provide a performance-based incentive for the generation of solar energy at its facility located at 400 Center Ridge Drive, Austin, TX 78753, for an estimated \$48,064 per year, for a total amount not to exceed \$480,640 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with Pearson was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

10. Authorize negotiation and execution of an agreement with VIEW APARTMENTS, LP, to provide a performance-based incentive for the generation of solar energy at eight facilities located in the 1900 block of Willow Creek Drive, Austin, TX 78741, for an estimated \$23,840 per year, for a total amount not to exceed \$238,400 over a 10-year period.

The motion authorizing the negotiation and execution of an agreement with View Apartments, LP was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

11. Approve issuance of a rebate to MANOR ROAD PARTNERS, LTD, for performing comprehensive energy efficiency upgrades at the Archway Apartments located at 2504 Manor Road, Austin, Texas 78722, in an amount not to exceed \$102,000.
The motion to approve the issuance of a rebate to Manor Road Partners, Ltd. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
12. Approve issuance of a rebate to WILTEX PROPERTY for performing duct diagnostics and improvements at the Riverlodge Apartments located at 10301 Ranch Road 2222, Austin, TX 78730 in an amount not to exceed \$174,051.
The motion to approve the issuance of a rebate to Wiltex Property was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
13. Approve issuance of a rebate to SAMSUNG AUSTIN SEMICONDUCTOR for the installation of energy efficient lighting and equipment at its facility located at 12100 Samsung Blvd., Austin, TX 78754, in an amount not to exceed \$77,464.
The motion to approve the issuance of a rebate to Samsung Austin Semiconductor was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
14. Approve issuance of a rebate to STATE FARM INSURANCE COMPANY for the installation of energy efficient lighting at its facility located at 8900 Amberglen Blvd., Austin, TX 78729, in an amount not to exceed \$74,908.
The motion to approve the issuance of a rebate to State Farm Insurance Company was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
15. Authorize execution of two power purchase agreements with Duke Energy Renewables, Inc. for terms of up to 25 years and for up to 200 megawatts of wind-generated electricity under each agreement, in an estimated amount of \$20,000,000 per year for each agreement, for an estimated total contract amount of \$500,000,000 for each agreement.
The motion to authorize the execution of two power purchase agreements with Duke Energy Renewables, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
16. Authorize execution of a power purchase agreement with E.ON Climate and Renewables North America, LLC, for a term of up to 25 years and for up to 170 megawatts of wind-generated electricity in an estimated amount of \$15,500,000 per year, for an estimated total contract amount of \$387,500,000.
The motion to authorize the execution of a power purchase agreements with E.ON Climate and Renewables North America, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
17. Approve an ordinance authorizing the negotiation and execution of a Developer Participation Agreement with Seaholm Power, LLC, for construction of chilled water utilities to serve several facilities in the Seaholm Development District, in an amount not to exceed \$3,400,000.
Ordinance No. 20130627-017 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 18 and 19 were pulled for discussion.

20. Approve an ordinance amending the Fiscal Year 2012-2013 Communications and Technology Management Department Capital Budget (ordinance no. 20120910-002) to appropriate \$454,678 for the 9-1-1 Initiatives Project
Ordinance No. 20130627-020 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

21. Authorize negotiation and execution of a professional services agreement with the following fourteen staff recommended firms or one of the other qualified responders: CONSTRUCTION TECHNOLOGY LABORATORIES dba CTL GROUP; ECS TEXAS LLP dba ENGINEERING CONSULTING SERVICE; FUGRO CONSULTANTS INC. dba FUGRO; HOLT ENGINEERING INC. (WBE/FW); HVJ ASSOCIATES INC. (MBE/MB); KLEINFELDER CENTRAL INC. dba KLEINFELDER; MLA LABS, INC.; PAVETEX ENGINEERING & TESTING INC. (WBE/FH); PROFESSIONAL SERVICE INDUSTRIES INC.; RABA-KISTNER CONSULTANTS INC. dba RABA KISTNER BRYTEST; OSCAR RODRIGUEZ dba RODRIGUEZ ENGINEERING LABORATORIES (MBE/MH); RONE ENGINEERING SERVICES LTD; TERRACON CONSULTANTS INC.; and WISS, JANNEY, ELSTNER ASSOCIATES INC., for the 2013 Geotechnical, Construction Materials, and Forensic Engineering rotation list for an estimated period of two years or until financial authorization is expended, with the total amount not to exceed \$7,000,000 to be divided among the fourteen firms. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Although no goals were established for this solicitation, areas of subcontracting opportunities have been identified.)
The motion authorizing the negotiation and execution of a professional services agreement with Construction Technology Laboratories doing business as CTL Group; ECS Texas LLP doing business as Engineering Consulting Service; Fugro Consultants Inc. doing business as Fugro; Holt Engineering Inc. (WBE/FW); HVJ Associates Inc. (MBE/MB); Kleinfelder Central Inc. doing business as Kleinfelder; MLA Labs, Inc.; Pavetex Engineering & Testing Inc. (WBE/FH); Professional Service Industries Inc.; Raba-Kistner Consultants Inc. doing business as Raba Kistner Brytest; Oscar Rodriguez doing business as Rodriguez Engineering Laboratories (MBE/MH); Rone Engineering Services Ltd; Terracon Consultants Inc.; and Wiss, Janney, Elstner Associates Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
22. Authorize execution of a construction contract with CHASCO CONSTRUCTORS, LTD., LLP, for a project relating to improvements to Todd Lane from Ben White Boulevard to Saint Elmo Road, in the amount of \$7,794,994, plus a \$389,749.70 contingency, for a total contract amount not to exceed \$8,184,743.70. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 6.40% MBE and 1.72% WBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Chasco Constructors, Ltd., LLP was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
23. Authorize negotiation and execution of a professional services agreement with BURY & PARTNERS, INC., for engineering services on the 3rd Street Reconstruction Phase II Project from Congress Avenue to Brazos Street and San Jacinto Boulevard to Trinity Street Project, an ACCELERATE AUSTIN PROJECT, in an amount not to exceed \$165,303. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 19.09% MBE subconsultant participation.)
The motion authorizing the negotiation and execution of a professional services agreement with Bury & Partners, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
24. Authorize negotiation and execution of a professional services agreement with BROWN & GAY ENGINEERS, INC., or one of the other qualified responders to RFQ Solicitation No. CLMP127, to provide engineering services for the ABIA Stormwater Drainage Improvements in an amount not to exceed \$2,500,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 16.00% WBE subconsultant participation.)

This item was postponed to August 8, 2013 on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

25. Authorize negotiation and execution of an amendment to the professional services agreements with the following three firms: HVJ ASSOCIATES, INC. (MBE/MB), Austin, TX; LOCKWOOD ANDREWS & NEWNAM, INC. Austin, TX; and HNTB CORPORATION, Austin TX; to provide professional engineering services for the Street Reconstruction Program Rotation List in the aggregate amount of \$1,525,000 in additional authorization, for a total not to exceed amount of \$18,285,000 for this rotation list to complete the following ACCELERATE AUSTIN projects: Rio Grande Street (HVJ Associates), Group 8 (Lockwood, Andrews & Newnam, Inc.), and Group 12 (HNTB Corporation). The additional authority will be allocated as follows: HVJ ASSOCIATES, INC. \$775,000; LOCKWOOD ANDREWS & NEWNAM, INC. \$550,000 and HNTB CORPORATION \$200,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.50% MBE and 14.20% WBE subconsultant participation to date.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with HVJ Associates, Inc. (MBE/MB); Lockwood Andrews & Newnam, Inc.; and HNTB Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
26. Authorize execution of an extension option to the construction contract with PEABODY GENERAL CONTRACTORS (WBE/FW - 62.64%) for Wastewater Line Relay and Spot Repair Indefinite Delivery / Indefinite Quantity Service Contract to extend the contract duration by 7 months to February 28, 2014, at no additional cost to the City for a contract amount not to exceed \$11,492,441.90. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 4.43% MBE, 3.31% WBE subcontractor participation, and 62.64% WBE prime participation to date.)
The motion authorizing the execution of an extension option to the construction contract with Peabody General Contractors (WBE/FW) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
27. Approve an ordinance amending Ordinance No. 20110629-003 (waiving certain development fees related to the construction of the J. W. Marriott at 2nd Street and Congress Avenue by White Lodging) to provide clarification and direction regarding amendment of the wage rate requirements, waive past non-compliance, and impose additional conditions.
This item was postponed to August 8, 2013 on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 28 and 29 were pulled for discussion.

30. Authorize negotiation and execution of an amendment to the existing interlocal cooperation agreement between the City and Travis County to provide additional emergency medical services in an area of Travis County outside the City's corporate limits for a period beginning July 1, 2013 through September 30, 2013 in exchange for payment of \$280,067 by Travis County. Related to Items #31 and #32.
The motion authorizing the negotiation and execution of an amendment to the existing interlocal cooperation agreement between the City and Travis County was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
31. Approve an ordinance amending the Fiscal Year 2012-2013 General Fund Emergency Medical Services Department Operating Budget (Ordinance No. 20120910-001) to increase revenue in the amount of \$280,067 and increase expenses in the amount of \$280,067 to add twenty-four new EMS Medic I full-time equivalent positions. Related to Items #30 and #32.
Ordinance No. 20130627-031 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

32. Approve an ordinance establishing classifications and positions in the classified service of the Emergency Medical Services Department; eliminating and creating certain positions in the classified service of the Emergency Medical Services Department; and repealing ordinance no. 20130328-015 relating to Emergency Medical Services Department classifications and positions. Related to Items #30 and #31.
Ordinance No. 20130627-032 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
33. Approve an ordinance authorizing acceptance of \$2,292,116 in grant funds from the Texas Commission on Environmental Quality; amending the Fiscal Year 2012-2013 Fleet Services Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate these funds; and amending the Fiscal Year 2012-2013 Fleet Services Capital Budget (Ordinance 20120910-002) to transfer in \$2,292,116 from the Fiscal Year 2012-2013 Fleet Services Operating Budget Special Revenue Fund to purchase Compressed Natural Gas refuse trucks for Austin Resource Recovery.
Ordinance No. 20130627-033 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
34. Authorize negotiation and execution of interlocal agreements with five local government agencies and political subdivisions to provide decaling services by the City's Fleet Services Department, which, in combination with the other decaling services provided by the Department, will generate an estimated annual revenue of \$10,000.
The motion authorizing the negotiation and execution of interlocal agreements with five local government agencies and political subdivisions was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
35. Authorize award and execution of an interlocal agreement with the LOWER COLORADO RIVER AUTHORITY (LCRA), Austin, TX, for a 12-month agreement to provide maintenance, repair, refurbishment, remounting, and testing services for the City's fleet of truck-mounted aerial devices in an amount not to exceed \$255,000, with four 12-month extension options in an amount not to exceed \$255,000 per extension option, for a total contract amount not to exceed \$1,275,000.
The motion authorizing the award and execution of an interlocal agreement with the Lower Colorado River Authority (LCRA) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
36. Approve an ordinance authorizing acceptance of \$2,500,000 in Lead-Based Paint Hazard Control Grant and Healthy Homes Supplement grant funds from the United States Department of Housing and Urban Development; and amending the Fiscal Year 2012-2013 Neighborhood Housing and Community Development Office Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate a total of \$2,500,000 for the City's LeadSmart Program and the Healthy Homes Supplemental Grant Program.
Ordinance No. 20130627-036 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
37. Authorize the negotiation and execution of all documents and instruments necessary or desirable to sell property generally known as 818, 820, 822, 824, 825, 827, and 829 Patton Avenue and 915 Bastrop Highway to Michael J. Kuhn, for the fair market value of \$85,000 as determined by a sealed bid auction held on May 14, 2013.
The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to sell property to Michael J. Kuhn was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
38. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a wastewater easement of approximately 37,484 square feet and a temporary working space easement of

approximately 26,777 square feet, for the North Acres Water and Wastewater Improvements E-C Project, situated in the J.O. Rice Survey No. 31, Abstract No. 675, in Travis County, Texas, located on Dessau Road, from DESSAU SILVEREDGE, L.P. in an amount not to exceed \$61,096.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a wastewater easement from Dessau Silveredge, L.P. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

39. Authorize the negotiation and execution of all documents and instruments necessary or desirable to lease retail space of approximately 4,154 square feet, located at 600 East 4th Street, Space A, Austin, Travis County, Texas, to the AUSTIN CONVENTION AND VISITORS BUREAU (Tenant) for 120 months. Tenant shall pay for all tenant improvements with no cost to the City.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to lease retail space to the Austin Convention and Visitors Bureau was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

40. Approve a resolution waiving the requirements of Resolution No. 980312-025 related to the City's policy on concessions on parkland, and authorizing the negotiation and execution of a concession agreement with the Austin Parks Foundation for a concession at Wooldridge Square Park for a two year term in exchange for the Foundation's obligation to use concession revenue to fund additional park improvements or programs at the site.

Resolution No. 20130627-040 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

41. Authorize negotiation and execution of a Parkland Improvement Agreement, and Maintenance Agreement with the Austin Parks Foundation for the construction and operation of a public plaza in the existing Medina Street Right-of-Way between 5th and 6th Streets.

The motion authorizing the negotiation and execution of a parkland improvement agreement and maintenance agreement with the Austin Parks Foundation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

42. Authorize negotiation and execution of an amendment to an interlocal agreement between the City and Capital Area Council of Governments for the service and delivery of congregate meals to seven Parks and Recreation Department supported facilities by Meals on Wheels and More in an amount not to exceed \$104,000.

The motion authorizing the negotiation and execution of an amendment to an interlocal agreement between the City and Capital Area Council of Governments was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

43. Authorize negotiation and execution of a two-year interlocal agreement between the City and Austin Independent School District (AISD) for arborist services on AISD campuses in an amount not to exceed \$50,000 per year for a total contract amount not to exceed \$100,000.

The motion authorizing the negotiation and execution of an interlocal agreement between the City and Austin Independent School District (AISD) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 44 and 45 were pulled for discussion.

46. Approve a resolution ratifying the Meet and Confer Agreement between the City and the Austin Police Association relating to wages, hours, and terms and conditions of employment for Austin police officers.

Resolution No. 20130627-046 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

47. Approve an ordinance amending the Fiscal Year 2012-2013 Public Works Department Operating Budget Special Revenue Fund (ordinance no. 20120910-001) to accept funds from the SUSTAINABLE FOOD CENTER, AUSTIN, TEXAS in the amount of \$38,835 for the implementation of a targeted, comprehensive Safe Routes to School Program in the Dove Springs Area.

Ordinance No. 20130627-047 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 48 was pulled for discussion.

49. Authorize award and execution of a 36-month requirements supply contract with PREMIER MAGNESIA, LLC, to provide magnesium hydroxide slurry and equipment for the Austin Water Utility Department, in an amount not to exceed \$10,526,400 with two 12-month extension options in an amount not to exceed \$3,508,800 per extension option, for a total contract amount not to exceed \$17,544,000. (Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements supply contract with Premier Magnesia, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

50. Authorize award and execution of a 24-month requirements service contract for delivery services through Texas Procurement and Support Services with FEDERAL EXPRESS CORPORATION, in an amount not to exceed \$280,320, with three 12-month extension in an amount not to exceed \$140,160 per extension period, for a total contract amount not to exceed \$700,800. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements service contract with Federal Express Corporation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

51. Authorize award and execution of a 24-month service agreement with ENTECH SALES AND SERVICE, INC., for security monitoring and as-needed repair for the Communications and Technology Management Department in an amount not to exceed \$53,820, with three 12-month extension options in an amount not to exceed \$26,910 per extension option, for a total contract amount not to exceed 134,550. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a service agreement with Entech Sales and Service, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 52 was pulled for discussion.

53. Authorize award and execution of a 12-month requirements service contract through the Texas Multiple Award Schedule (TXMAS) with JOHNSON CONTROLS, INC. for preventative and corrective maintenance services and upgrades on 17 chillers in an amount not to exceed \$415,774, with one 60-month extension option in an amount not to exceed \$2,168,721, for a total contract amount not to exceed \$2,584,495. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award and execution of a requirements service contract through the Texas Multiple Award Schedule (TXMAS) with Johnson Controls, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

54. Authorize award and execution of a 36-month requirements service contract with AUSTIN/SAN ANTONIO CONCRETE RAISING, LLC for group one for sidewalk maintenance/raising and with AMERICAN GRINDING COMPANY, LLC for group two for saw cutting and trip hazard removal services for the Public Works Department, in an amount not to exceed \$800,000 each and combined, with three 12-month extension options in an amount not to exceed \$300,000 each and combined for each extension option, for a total contract amount not to exceed \$1,700,000 each and combined. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements service contract with Austin/San Antonio Concrete Raising, LLC and American Grinding Company, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

55. Authorize award, negotiation, and execution of four 12-month requirements service contracts with ATLAS EFFICIENCY SOLUTIONS, LLC; ATS ENGINEERS, INSPECTORS, SURVEYORS; TEXAS GREEN VENTURES, LLC and FOX ENERGY SPECIALISTS, or one of the other qualified offerors to RFP No. TVN0029, to provide test-out energy audit services for Austin Energy, in an amount not to exceed \$150,000 each and combined, with one 12-month extension option in an amount not to exceed \$150,000 each and combined, for a total contract amount not to exceed \$300,000 each and combined. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

This item was postponed on consent to August 8, 2013 on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

56. Authorize award and execution of two 36 month requirements service agreements with CASTLEVIEW PRODUCTIONS, or one of the other qualified offerors to RFP No. SDC0009 for videography services in an amount not to exceed \$116,025 with three 12-month extension options in an amount not to exceed \$38,675 per extension option for a total contract amount not to exceed \$232,050; and with HENNIG PRODUCTIONS, for photography services in an amount not to exceed \$30,345 with three 12-month extension options in an amount not to exceed \$10,115 per extension option for a total contract amount not to exceed \$60,690. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of two requirements service agreement with Castleview Productions was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

57. Authorize award, negotiation and execution of a 12-month requirements service contract with SYPHERLINK INC., for maintenance and support for Sypherlink computer software to standardize crime records for the Austin Police Department in an amount not to exceed \$77,824 with four 12-month extension options in amounts not to exceed \$78,214, \$78,605, \$78,998 and \$79,393 respectively for a total contract amount not to exceed \$393,034. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a requirements service contract with Sypherlink, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

- 58. Authorize award and execution of Amendment No. 5 to increase the contract amount for a Cooperative Purchasing Network (TCPN) contract with FLEETCARD, INC. dba IMPAC FLEET, for fuel credit card services in an amount not to exceed \$360,000 for a revised total contract amount not to exceed \$2,584,033. (Notes: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of amendment number five with Fleetcard, Inc. doing business as Impact Fleet was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 59. Authorize negotiation and execution of a 36-month rewards program administration agreement with Thanks Again, LLC to provide an airport centered loyalty/rewards program with estimated monthly program fees of \$5,000 per month, for a total contract amount not to exceed \$180,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this contract.)
This item was withdrawn on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 60. Authorize award, negotiation, and execution of three 24- month requirements service contracts with ATLAS EFFICIENCY SOLUTION, LLC, POSITIVE ENERGY AND CLEARRESULT, or one of the other qualified offerors to RFP No. TVN0028, to provide comprehensive home energy assessments, load calculations, verification, inspections, quality control, and field training, in an amount not to exceed \$697,500 each and combined, with two 12-month extension options in an amount not to exceed \$348,750 each and combined per extension option, for a total contract amount not to exceed \$1,395,000 each and combined. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award, negotiation and execution of three requirements service contracts with Atlas Efficiency Solution, LLC, Positive Energy and Clearresult was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 61. Authorize negotiation and execution of an interlocal agreement with the City and The University of Texas at Austin for the installation of wayfinding signs within the City street right-of-way at no cost to the City.
The motion authorizing the negotiation and execution of an interlocal agreement with the City and The University of Texas at Austin was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 62. Approve a resolution directing the publication of an Official Notice of Intention to Issue \$25,355,000 City of Austin Certificates of Obligation, Series 2013.
Resolution No. 20130627-062 was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 63. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
The following appointments and waivers were approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

Nominations

Board/Nominee

Nominated by

Electric Utility Commission
Clay Butler
Varun Rai

Council Member Riley
Council Member Spelman

Resource Management Commission
Carol Biedrzycki

Council Member Tovo

RMMA Plan Implementation Advisory Commission
Corky Hilliard

Council Member Riley

Nominations to Intergovernmental Bodies

Board/Nominee

Nominated by

Central Health Board of Managers
William “Kirk” Kuykendall

Council

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Kyle Holder on the Early Childhood Council.

- 64. Approve an ordinance waiving certain fees and requirements under City Code Chapter 14-8, certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored Austin Symphony July 4th Concert and Fireworks which is to be held on July 4, 2013 at Auditorium Shores. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez)
Ordinance No. 20130627-064 was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 65. Approve a resolution directing the City Manager to develop reclaimed water rates for Parkland. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell CO 2: Council Member Chris Riley)
Resolution No. 20130627-065 was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 66. Approve a resolution directing the City Manager to develop a comprehensive plan to eliminate coal from Austin Energy's portfolio. (Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison CO 2: Mayor Lee Leffingwell)
Resolution No. 20130627-066 was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

- 67. Approve the waiver of certain fees and requirements under City Code Chapter 14-8 for the 2013 CASA Superhero Run 5K and Kids 1K sponsored by the Court Appointed Special Advocates which is to be held on Sunday, September 21, 2013 at Mueller Lake Park and Hangar. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Chris Riley)
The motion to approve the waiver of certain fees and requirements for the 2013 CASA Superhero Run 5K and Kids 1K was approved on consent on Mayor Pro Tem Cole’s motion, Council Member Martinez’ second on a 7-0 vote.

Items 68 and 69 were pulled for discussion.

70. Approve a resolution directing the City Manager to assess the value of public trees, evaluate current levels of care provided for public trees, consider adjustments to the delivery of public tree care, and provide recommendations to the City Council. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Mayor Lee Leffingwell CO 2: Council Member Laura Morrison)
Resolution No. 20130627-070 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
71. Approve a resolution directing the City Manager to provide a legal analysis and review of Senate Bill 385, also known as the Property Assessed Clean Energy Act, and work with interested stakeholders to develop the elements of a local PACE program. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member William Spelman CO 2: Mayor Lee Leffingwell)
Resolution No. 20130627-071 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 72 was pulled for discussion.

73. Approve a resolution endorsing the concept of a Music City Alliance with the City of Toronto and directing the City Manager to identify staff for participation in the Music City Alliance. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez)
Resolution No. 20130627-073 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
74. Approve a resolution clarifying City policy and directing the City Manager to uniformly administer group housing license requirements to all applicable occupancies. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)
Resolution No. 20130627-074 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Item 75 was pulled for discussion.

76. Approve a resolution directing the City Manager to evaluate the feasibility of establishing a park or greenbelt along Astor Place. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)
Resolution No. 20130627-076 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
77. Approve a resolution endorsing the School Readiness Action Plan for Austin/Travis County (SRAP) and directing the City Manager to develop a process to require agencies that receive City of Austin funding for early childhood services to report to the City about how their services address SRAP goals. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Council Member Chris Riley)
Resolution No. 20130627-077 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
78. Approve a resolution directing the City Manager to explore options to exchange Bridge Child Care Voucher Program funding from a federal Community Development Block Grant (CDBG) to funding from the general fund that is allocated to a CDBG-eligible program and to identify opportunities to increase funds for this Program. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Mike Martinez CO 2: Council Member Chris Riley)
Resolution No. 20130627-078 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

79. Approve a resolution directing the City Manager to implement recommendations of the Austin Animal Advisory Commission - Deer Working Group, that include promoting human and deer coexistence through public education, the reorganization of administrative responsibilities for addressing conflicts with coexistence, and promoting the safe removal of deer carcasses from private land. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison)
Resolution No. 20130627-079 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
80. Approve a resolution directing the City Manager to present options for funding in the FY2014 budget the creation of a citywide staff coordinator and implementation of the recommendations from the Economic Growth and Redevelopment Services Office local food system economic impact analysis and the Sustainable Food Policy Board regarding local food production, distribution, and consumption. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)
Resolution No. 20130627-080 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
81. Approve an ordinance reimbursing certain fees and deposits for the Regional Engagement Meeting sponsored by the Texas Department of Family and Protective Services which was held Thursday, May 23, 2013 at the George Washington Carver Museum and Cultural Center. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley)
Ordinance No. 20130627-081 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
82. Approve an ordinance waiving certain fees for the Vietnamese Family Day event sponsored by SAHELI which is to be held on Saturday, August 3, 2013 at Gus Garcia Recreation Center. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Kathie Tovo)
Ordinance No. 20130627-082 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
83. Approve an ordinance amending City Code Chapter 14-11 relating to annual fees for license agreements. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Lee Leffingwell CO 2: Council Member William Spelman)
Ordinance No. 20130627-083 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo.
84. Set a public hearing to consider an ordinance adopting local standards of care for the Parks and Recreation Department's Youth Recreation Programs for 2013. (Suggested date and time: August 8, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, Texas)
The public hearing was set on consent for August 8, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, Texas on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.
85. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 relating to the granting of special exceptions for existing residential structures. (Suggested date and time: August 8, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin TX).
The public hearing was set on consent for August 8, 2013 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, Texas on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 7-0 vote.

Items 86 and 87 were briefing items set for 10:30 a.m.

Items 88 through 89 were Executive Session items.

Items 90 through 104 were zoning items set for 2:00 p.m.

Items 105 through 108 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

Action was taken on items 18 and 19 but was reconsidered later in the meeting. See below.

- 28. Authorize negotiation and execution of a professional services agreement with McCANN ADAMS STUDIO or one of the other qualified responders to RFQ Solicitation No. CLMP125 to provide architectural, engineering, and planning services for the Colony Park Sustainable Community Initiative in an amount not to exceed \$1,978,450. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.00% MBE and 0.00% WBE sub-consultant participation; and 30.50% WBE prime participation.)

The motion authorizing the negotiation and execution of a professional services agreement with Farr Associates was approved on Mayor Pro Tem Cole’s motion, Council Member Spelman’s second on a 7-0 vote.

BRIEFINGS

- 86. Hispanic Quality of Life Briefing.
The presentation was made by Teresa Perez-Wisely, Chair, Hispanic Quality of Life Community Oversight Team.
- 87. Briefing on the Local and Healthy Food Policy and Recommendations.
This item was withdrawn without objection.

DISCUSSION ITEMS CONTINUED

- 29. Authorize negotiation and execution of a 12-month professional services agreement with Community Initiatives Development Corporation for planning, implementing and financing of economic development projects for an amount not to exceed \$58,282 with three 12-month extension options for a total contract amount of \$233,128.
The motion authorizing the negotiation and execution of a professional services agreement with Community Initiative Development Corporation was approved on Council Member Spelman’s motion, Council Member Martinez’ second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.
- 68. Approve a resolution directing the City Manager to bring forward an ordinance to authorize an election for voter approval of a General Obligation Bond Proposition for affordable housing for November 2013 and directing the City Manager to prepare scenarios for funding affordable housing for the next five years. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member William Spelman)
Resolution No. 20130627-068 was approved on Council Member Spelman’s motion, Council Member Morrison’s second on a 7-0 vote.
- 72. Approve a resolution directing the City Manager to analyze the impacts of HB 3350 and present necessary City Code amendments so that homestead preservation districts can be created as soon as possible (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman CO 2: Council Member Kathie Tovo)

Resolution No. 20130627-072 was approved with the following friendly amendment on Mayor Pro Tem Cole’s motion, Council Member Spelman’s second on a 7-0 vote.

There was a friendly amendment made by Council Member Spelman to have the “Be it resolved by the City Council of the City Of Austin” read, “The City Manager is directed to analyze the impacts of HB 3350 and present a legal and fiscal analysis, proposed boundaries and included property classes along with necessary Code amendments in order to align current City code with state law so that homestead preservation districts can be created as soon as possible.” The amendment was accepted by the maker of the motion.

CITIZEN COMMUNICATIONS: GENERAL

Gavino Fernandez, Jr. - Happy 4th of July Parade Saturday, June 29, 2013

Robert MacDonald - World class cities

Linda Greene - Fluoride deception

Robyn Jamison - The possibility of using the old library building for an art museum. **Not present when name was called.**

Nelson Linder - Human Rights violations in the City of Austin

Gus Peña - 1. Veterans issues and needs 2. Affordable housing 3. Jobs with benefits 4. Expand summer job programs for the youth 5. Need mentors/tutors for students in summer school

Sam Holt - The Byron Carter case

Philip Greene - TBD

Will McLeod - 1. Ted Cruz For President 2016 2. Impeaching President Obama 3. Council should pass a resolution in support of abolishing the 16th Amendment to the United States Constitution. 4. Single Use Bag Ordinance violates the Texas Human Resources Code, Title 8, Chapter 121: Rights and Responsibilities of Persons with Disabilities, and the Federal Americans with Disabilities Act. 5. TBD.

Ronnie Reefersed - Love, liberty and stoppng the wicked wars we are waging worldwide

Mayor Leffingwell recessed the Council Meeting at 12:32 p.m.

Mayor Leffingwell called the Council Meeting at 1:19 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

- 88. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.

89. Discuss legal issues related to the transition to electing the council from single - member districts (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.

DISCUSSION ITEMS CONTINUED

44. Approve an ordinance waiving certain requirements of City Code Chapter 25-8 and adopting site-specific requirements for a development project located at 9710 - 9718 Anderson Mill Road.
Ordinance No. 20130627-044 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.
45. Approve a resolution initiating site-specific amendments to City Code Chapter 25-8, Article 12 (Save Our Springs Initiative) for the Garza tract, generally located at 3712 Ben Garza Lane, and for Encino Trace, generally located at 5707 Southwest Parkway.
Resolution No. 20130627-045 was approved with the following friendly amendment on Council Member Morrison's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Tovo voted nay.

There was a friendly amendment made by Council Member Tovo to direct staff to have a review conducted by the Environmental Board and the Land Use Commission. The amendment was accepted by the maker of the motion and Mayor Pro Tem, who made the second.

48. Authorize award, negotiation, and execution of a 60-month services requirement contract with INTERMENT SERVICES, INC. to provide interment and burial services at Austin cemeteries for the Parks and Recreation Department for an estimated amount not to exceed \$3,875,000, with two 60-month extension options in an estimated amount not to exceed \$3,875,000 per extension option, for a total estimated contract amount not to exceed \$11,625,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.16% MBE and 4.12% WBE subcontractor participation.) Unanimously approved by the Parks and Recreation Board on a vote of 6-0 with the addition of an 18-month review period
The motion authorizing the award, negotiation and execution of a services requirement contract with Interment Services, Inc. was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

Direction was given to staff as follows:

- **Renewals would be subject to Council approval, no administrative renewal.**
- **A review at the 18-month point but in the meantime there would be ongoing assessment of the work that is being done.**
- **Periodic reports to the Parks and Recreation Board or the Land Commission, whichever is the appropriate facility.**
- **Provide frequent updates.**
- **Ongoing monitoring under terms described by staff.**
- **Opportunity to terminate the contract at 18 months.**
- **Council would review the whole thing after five years.**
- **Staff would continue exploring other alternatives**
 - **Look at peer cities to see how they handle situations.**
 - **Check with small business development program or workforce development providers to find out if there is a way to generate interest for small local businesses that might be able to step up and fulfill this sort of responsibility in the future.**
- **Any other creative solutions that might provide options for this sort of service in the future.**

52. Authorize award, negotiation and execution of a ten-year requirements service contract with LANDIS + GYR for utility automated meter infrastructure (AMI) services for Austin Energy in an amount not to exceed \$60,102,752. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

This item was postponed to August 8, 2013 on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote. There was a friendly amendment made by Mayor Leffingwell to have the public comment portion of this item closed when brought back to Council. The amendment was accepted by the maker of the motion and Mayor Pro Tem Cole, who made the second with the exception of it being permissible to invite the folks involved up to talk regarding specific questions from Council.

Direction was given to staff to have further explanation and discussion at the Utility Commission and possibly among Council committee as well as having the Water Utility weigh in to make sure an investment is being made that takes their needs into account.

Items 18 and 19 were acted on in a combined motion.

18. Approve Service Extension Request No. 3151 for water service to a 37 acre tract at 9300 W SH 71, located within the Drinking Water Protection Zone and partially in the City's 2-mile extraterritorial jurisdiction and corporate limits. Related to Item #19.

This item was postponed to August 8, 2013 on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

A motion to reconsider item 18 was approved on Mayor Pro Tem Cole's motion, Mayor Leffingwell second on a 7-0 vote.

No further action was taken, the original motion remained.

19. Approve Service Extension Request No. 3152 for wastewater service to a 37 acre tract at 9300 W SH 71, located within the Drinking Water Protection Zone and partially in the City's 2-mile extraterritorial jurisdiction and corporate limits. Related to Item #18.

This item was postponed to August 8, 2013 on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

A motion to reconsider item 19 was approved on Mayor Pro Tem Cole's motion, Mayor Leffingwell second on a 7-0 vote.

No further action was taken, the original motion remained.

69. Approve a resolution directing the City Manager to determine if any legal barriers would prevent the City from enacting an ordinance restricting or prohibiting aerial advertising and, if no such barriers exist, to draft such an ordinance for consideration by the City Council by August 29, 2013. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Laura Morrison)

Resolution No. 20130627-069 was approved on Council Member Tovo's motion, Council Member Morrison's second on a 5-1 vote. Mayor Leffingwell voted nay. Council Member Spelman was off the dais.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

90. C814-2012-0128.SH - thinkEAST Austin - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1411 Shady Lane and 5300 Jain Lane (Boggy Creek Watershed; Tannehill Branch Watershed) from limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, with conditions. First reading approved on June 6, 2013. Vote: 7-0. Owner/Agent: thinkEAST Austin, LLC (Richard deVarga). City Staff: Heather Chaffin, 974-2122.
Ordinance No. 20130627-090 for planned unit development-neighborhood plan (PUD-NP) combining district zoning, with conditions was approved on consent on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.
91. C14-2012-0100 - Woodland Commercial Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1640 South IH-35 (Harper's Branch Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed on June 25, 2013. Owner: Woodland I-35, LP (Billy Reagan II). Applicant: Brown McCarroll LLP (Nikelle Meade). City Staff: Lee Heckman, 974-7604.
This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.
92. C14-2012-0109 - Sunflower - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1201 Robert E Lee Road (Lady Bird Lake Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To deny townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Joe Joseph, Jr.; Hazel Joseph. Agent: Vinson Radke Investments (Steven Radke). City Staff: Lee Heckman, 974-7604. A valid petition has been filed in opposition to this rezoning request.
This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.
95. C14-2013-0027 - Kincheon Neighborhood Commercial Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7905 Brodie Lane (Williamson Creek Watershed-Barton Springs Zone) from neighborhood office-conditional overlay (NO-CO) combining district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To deny neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement as requested by the applicant. Owner/Applicant: Shelby Michael Minns and Katherine T. Minns. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 974-7719.
This item was postponed on consent indefinitely on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)
97. C14-2013-0039 - Allen Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8800 FM 969 Road (Elm Creek Watershed) from development reserve (DR) district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To

grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: Joe D. Allen. Agent: The Faust Group (Bill Faust Group). City Staff: Heather Chaffin, 974-2122.

This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

99. C14-2013-0047 - JDJ Family Holdings, Ltd. (Slaughter 25 Rezoning) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 913 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning and single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Owner/Applicant: JDJ Family Holdings, Ltd. (Kirby H. Jackson, Jr.). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

This item was postponed on consent to August 8, 2013 at the applicant and neighborhood's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

100. C14-2013-0048 - Westlake Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3725 Westlake Drive (Lake Austin Watershed) from lake austin (LA) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To forward to Council without a recommendation. Applicant: John Mayes. Agent: Permit Partners, Inc. (David Cancialosi). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

101. C14-2013-0051 - Tech Ridge Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12501 1/2 Interstate Highway-35 Service Road Northbound (Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: Parmer Tech Ridge, LLC (Erik Tompkins). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130627-101 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved on consent on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

102. C14-2013-0054 - Parmer US 290 Retail - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10104 East U.S. Highway 290 Westbound (Gilleland Creek Watershed) from development reserve (DR) district zoning to commercial highway services-conditional overlay (CH-CO) combining district. Staff Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning. Owner/Applicant: E/290 Parmer, Ltd. (Andrew Pastor). Agent: Endeavor Real Estate Group (Dan Frey). City Staff: Heather Chaffin, 974-2122.

This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

103. C14-05-0120(RCA) - Parmer US 290 - Conduct a public hearing and approve a restrictive covenant amendment for property locally known as East U.S. Highway 290 Westbound (Gilleland Creek Watershed) to amend a Restrictive Covenant to add a 3.142 acre tract to an existing Restrictive Covenant. Staff Recommendation: To grant an amendment of a Restrictive Covenant to add a 3.142 acre tract to an existing Restrictive Covenant. Zoning and Platting Commission Recommendation: To grant an amendment of a restrictive covenant to add an adjacent tract to the restrictive covenant. Owner/Applicant: E/290 Parmer, Ltd. (Andrew Pastor). Agent: Endeavor Real Estate Group (Dan Frey). City Staff: Heather Chaffin, 974-2122.

This item was postponed on consent to August 8, 2013 at the staff's request on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Spelman was off the dais.

DISCUSSION ITEMS CONTINUED

75. Approve a resolution directing the City Manager to develop recommendations for preserving the environmental protections currently codified in the City Code regulations for the Lake Austin Residential District zoning for properties within 1,000 feet of the Lake Austin shoreline and to consider revising the process for variance review requests for properties in close proximity to Lake Austin. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member William Spelman CO2: Mayor Pro Tem Sheryl Cole)

Resolution No. 20130627-075 was approved on Council Member Tovo's motion, Council Morrison's second on a 5-1 motion. Mayor Leffingwell voted nay. Council Member Spelman was off the dais.

ZONING DISCUSSION ITEMS CONTINUED

94. C14-2013-0025 - Spicewood Springs Homes - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4101 Spicewood Springs Road (Shoal Creek Watershed) from family residence (SF-3) district zoning to townhouse condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhome condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhome condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Harold Silberberg. Agent: PSW Real Estate (Ryan Diepenbrock). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for townhome condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 4-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez and Riley. Those voting nay were: Council Members Morrison and Tovo. Council Member Spelman was off the dais. The conditional overlay prohibits access to Comfort Cove and Moritz Lane and a trip limitation of 2,000 per day and comply with current quality standards.

There was a friendly amendment made by Council Member Morrison to limit impervious coverage to 45%. The amendment was not accepted by the maker of the motion.

There was a motion made by Council Member Morrison and seconded by Council Member Tovo to limit impervious coverage to 45%. The motion failed on a vote of 3-3. Those voting aye were:

Council Members Morrison, Riley and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Member Martinez. Council Member Spelman was off the dais.

Mayor Leffingwell recessed the Council Meeting for Live Music and Proclamation at 5:30 p.m.

LIVE MUSIC

Shivery Shakes

PROCLAMATIONS

Proclamation -- Sno-Beach Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Elizabeth Guleke

Proclamation -- Love My Park Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Jane Rivera

Certificate of Appreciation -- Wal-Mart related to their philanthropic giving -- to be presented by Mayor Lee Leffingwell and to be accepted by local store managers

Certificates of Congratulations -- Bank of America Student Leaders at Communities In Schools of Central Texas -- to be presented by Council Member Laura Morrison and to be accepted by 2013 Summer Student Leaders

Proclamation -- VA and Housing Authority of the City of Austin Landlord Appreciation Event -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by Andrew Miller

Mayor Leffingwell called the Council Meeting back to order at 6:55 p.m.

ZONING DISCUSSION ITEMS CONTINUED

Action was taken on item 96 but was reconsidered later in the meeting. See below.

98. C14-2013-0045 - Huber Family Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4200 Rivercrest Drive (Lake Austin Watershed) from Lake Austin (LA) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To forward to Council without a recommendation. Applicant: Brian Huber. Agent: Land Answers (Jim Wittliff). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning with the following additional conditional overlays was approved on Council Member Martinez' motion, Council Member Riley's second on a 5-1 vote. Council Member Morrison voted nay. Council Member Spelman was off the dais.

The Additional Conditional Overlay's:

- **A permanent improvement is prohibited in a shoreline setback area, except for a retaining wall, pier, wharf, boat-house, or marina, or a driveway to the structures.**
- **Not more than 30 percent of the woody vegetation within a shoreline setback area may be removed.**

- Except for surveying or testing, vegetation within a shoreline setback area may not be removed before a building permit is issued. For surveying or testing, areas up to 15 feet wide may be cleared, and trees smaller than six inches in diameter may be removed.
- The shoreline setback is 25 feet from Rivercrest Drive.

104. C14H-2013-0003 - Seaholm Power Plant - Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West Cesar Chavez Street (Lady Bird Lake Watershed) from downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning to downtown mixed use-central urban redevelopment-conditional overlay-historic landmark (DMU-CURE-CO-H) combining district zoning. Staff Recommendation: To grant downtown mixed use-central urban redevelopment-conditional overlay-historic landmark (DMU-CURE-CO-H) combining district zoning. Historic Landmark Commission Recommendation: To grant downtown mixed use-central urban redevelopment-conditional overlay-historic landmark (DMU-CURE-CO-H) combining district zoning. Planning Commission Recommendation: To be reviewed on June 25, 2013. Applicant: Southwest Strategies Group, Inc. (John Rosato). City Staff: Steve Sadowsky, 974-6454.

This item was postponed to August 8, 2013 on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman was off the dais. Direction was given to staff to provide information on the impact that the tax abatement would have on the TIFF.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

108. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district.

This item was postponed to August 8, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on 6-0 a vote. Council Member Spelman was off the dais.

107. Conduct a public hearing and consider an ordinance regarding floodplain variances for the remodeling and construction of an addition to an existing single-family residence at 4518 Avenue D as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplains of Waller Creek.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130627-107 only for remodeling of existing structure as it is today was approved with the following friendly amendment on Council Member Martinez' motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman was off the dais.

There was a friendly amendment made by Council Member Morrison to have the structure elevated a minimum of 1.2 feet above the 100 year flood plain. This was accepted by the maker of the motion.

106. Conduct a public hearing and consider an ordinance regarding a rate review mechanism for reviewing the gas rates of Atmos Energy Corporation, Mid-Tex Division.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130627-106 was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 5-0 vote. Council Members Spelman and Tovo were off the dais.

ZONING DISCUSSION ITEMS CONTINUED

93. C14-2013-0020 - Oak Creek Village - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2324 Wilson Street (Bouldin Creek Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-

CO-NP) combining district zoning. First reading approved with conditions on June 6, 2013. Vote: 7-0. Owner: 2007 Travis Heights, LP (Rene D. Campos). Applicant/Agent: Winstead PC (John Donisi). City Staff: Lee Heckman, 974-7604.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130627-093 for multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning was approved with the following amendment on Council Member Tovo’s motion, Council Member Morrison’s second on a 6-0 vote. Council Member Spelman was off the dais.

The amendment was to have part 3 E and F read,

“E. Development of the Property may not exceed an average of 55.0 residential units per acre.

F. Not withstanding the provisions in paragraph E above, development of the property may not exceed 486 residential units.”

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Mayor Pro Tem Cole’s motion, Council Member Riley’s second on a 6-0 vote. Council Member Spelman was off the dais.

96. C14-2013-0034 - Ross-Conley Lot 1, L.L.P. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3447 Northland Drive (Shoal Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To forward to Council without a recommendation. Applicant: David C. Conley, P.C. (David C. Conley). Agent: Thrower Design (Ron Thrower). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and deny the rezoning request was approved on Council Member Morrison’s motion, Council Member Tovo’s second on a 4-2 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Morrison, Riley and Tovo. Those voting nay were: Mayor Leffingwell and Council Member Martinez. Council Member Spelman was off the dais.

A motion to reconsider item 96 and to postpone it indefinitely was approved on Council Member Riley’s motion, Mayor Pro Tem Cole’s second on a 5-1 vote. Council Member Tovo voted nay. Council Member Spelman was off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

105. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, to: 1) establish a streamlined Downtown Density Bonus Program; 2) modify the Central Urban Redevelopment combining district Code provisions, and 3) repeal City Code Section 25-2-586 (Affordable Housing Incentives in a Central Business District or Downtown Mixed Use zoning district).

The public hearing was conducted and there was a motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to close the public hearing and approve the ordinance with the following amendments.

There was a motion made by Mayor Pro Tem Cole and seconded by Council Member Martinez to amend section 25-2-586(E)(1)(a)(ii) as follows with a friendly amendment. The motion passed on a vote of 6-0. Council Member Spelman was off the dais.

25-2-586(E)(1)(a)(ii), “The fee will be paid into the Affordable Housing Trust Fund, and for money generated by the fee will be for permanent supportive housing for low-barrier approaches for the chronically homeless.”

There was a friendly amendment made by Council Member Morrison to reallocate when we recalibrate and direction was given to staff to include the recalibration in the ordinance rather than the code. The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

There was a motion made by Council Member Martinez and seconded by Council Member Morrison to amend section 25-2-586(F)(1) to recalibrate and reallocate every three years. The motion passed on a vote of 6-0. Council Member Spelman was off the dais.

There was a motion made by Mayor Pro Tem Cole and seconded by Council Member Martinez to amend section 25-2-586(G) as follows. The motion passed on a vote of 6-0. Council Member Spelman was off the dais.

25-2-586(G), “For the purposes of this section, a unit is affordable for purchase or rental if, in addition to the other requirements of this section, the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit.”

Direction was given to staff to work to develop a citywide consistent methodology for determining housing and transportation affordability combined.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20130627-105 was approved with the amendments listed above and the following amendment and friendly amendment on Mayor Pro Tem Cole’s motion, Council Member Morrison’s second on a 6-0 vote. Council Member Spelman was off the dais.

There was an amendment made by Mayor Pro Tem Cole to remove the area indicating that the downtown section of the Waterfront Overlay area is ineligible for the Density Bonus Program with direction to staff to consult with the Waterfront Overlay Board in developing the full Density Bonus Program that is due at the end of this year.

There was a friendly amendment made by Council Member Morrison to insert “it does not apply to where the Rainey Street Program applies” into the amendment made by Mayor Pro Tem Cole above. This was accepted by the maker of the motion.

Mayor Leffingwell adjourned the meeting at 10:31 p.m. without objection.

The minutes were approved on this the 8th day of August 2013 on Mayor Pro Tem Cole’s motion, Council Member Spelman’s second on a 7-0 vote.